

BAKER & HOSTETLER LLP

45 Rockefeller Plaza
New York, NY 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and Chapter 7 Estate of Bernard L. Madoff,

Adv. Pro. No. 10-04357 (SMB)

Plaintiff,

vs.

JAMES GREIFF,

Defendant.

NOTICE OF FINAL PRE-TRIAL CONFERENCE

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”) (ECF No. 3141). Under the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, in this adversary proceeding on November 30, 2010 (Adv. Pro. No. 10-04357, ECF No. 1), the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) apply to the instant matter.

On August 17, 2015, Defendant filed an Answer to Trustee’s Complaint (Adv. Pro. No. 10-04357, ECF No. 47) and the Parties commenced discovery, which was completed on June 8, 2017.

On June 13, 2017, the Trustee filed a Notice of Mediation Referral (Adv. Pro. No. 10-04357, ECF No. 56), and the mediation was held on November 11, 2019 without a settlement between the Parties.

The mediator filed her final report on February 3, 2020 (Adv. Pro. No. 10-04357, ECF No. 108).

At a pretrial conference held on February 20, 2020, this Court set the matter for a bench trial to begin on April 7, 2020 (Hr’g Tr. At 7:22-25, ECF No. 111).

On March 4, 2020, Defendant filed a Motion to Withdraw the Reference (the “Motion to Withdraw”) (Adv. Pro. No. 10-04357, ECF No. 112 and Case No. 20-cv-02560, ECF No. 1), and it was assigned to United States District Judge Lorna G. Schofield. The Motion to Withdraw was fully briefed by April 27, 2020 (Case No. 20-cv-02560, ECF No. 7).

On June 4, 2020, Judge Schofield issued her decision denying Defendant's Motion to Withdraw. *See Sec. Inv'r Prot. Corp. v. BLMIS*, Adv. Pro. No. 08-01789 (Bankr. S.D.N.Y. June 5, 2020), ECF No. 19555.

Under Section 7 of the Avoidance Procedures concerning scheduling a pretrial conference and trial, the final pre-trial conference in this adversary proceeding has been scheduled for **July 29, 2020, at 10:00 a.m.** before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge and all trial counsel are required to attend. Pursuant to the Court's General Order M-543, *In re: Coronavirus/COVID-19 Pandemic, Court Operations Under the Exigent Circumstances Created by COVID-19*, dated March 20, 2020, all hearings will be conducted telephonically pending further Order of the Court. All parties who wish to appear at the hearing must make arrangements to appear telephonically with Court Solutions LLC at <https://www.court-solutions.com/> no later than 12:00 p.m. (Eastern Time) one business day before the Hearing. Further instructions regarding telephonic appearances via Court Solutions

can be found on the Court's website at <http://www.nysb.uscourts.gov/news/general-order-m-543-court-operations-under-exigent-circumstances-created-covid-19>.

Dated: June 12, 2020
New York, New York

Respectfully submitted,

By: /s/ Nicholas J. Cremona
BAKER & HOSTETLER LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*